

CONF EX. 39
6/13/11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ZVI GOFFER, EMANUEL GOFFER, and
MICHAEL KIMELMAN,

Defendants.

No. 10 Cr. 56 (RJS)

Verdict Form

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6-13-11

COUNT ONE

(Conspiracy to Commit Securities Fraud)

1. How do you find the Defendant ZVI GOFFER with respect to Count One?

Guilty

Not Guilty

✓

COUNT TWO

(Conspiracy to Commit Securities Fraud)

2. How do you find the Defendants ZVI GOFFER, EMANUEL GOFFER, and MICHAEL KIMELMAN with respect to Count Two?

Guilty

Not Guilty

a. ZVI GOFFER

✓

b. EMANUEL GOFFER

✓

c. MICHAEL KIMELMAN

✓

COUNT THREE

(Securities Fraud in connection with the purchase of approximately 75,000 shares of 3Com stock on or about 8/7/07)

3. How do you find the Defendant ZVI GOFFER with respect to Count Three?

Guilty

Not Guilty

✓

COUNT FOUR

(Securities Fraud in connection with the purchase of approximately 525,000 shares of 3Com stock on or about 8/7/07)

4. How do you find the Defendant ZVI GOFFER with respect to Count Four?

Guilty

Not Guilty

✓

COUNT FIVE

(Securities Fraud in connection with the purchase of approximately 30,000 shares of 3Com stock on or about 8/7/07)

5. How do you find the Defendant EMANUEL GOFFER with respect to Count Five?

Guilty

Not Guilty

✓

If you answered "Guilty" to question (5), please answer question 5(a). If you answered "Not Guilty" to question (5), please proceed to question (6).

5(a). How do you find the Defendant ZVI GOFFER with respect to Count Five?

<u>Guilty</u>	<u>Not Guilty</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

COUNT SIX

(Securities Fraud in connection with the purchase of approximately 15,000 shares of 3Com Stock on or about 8/10/07)

6. How do you find the Defendant MICHAEL KIMELMAN with respect to Count Six?

<u>Guilty</u>	<u>Not Guilty</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you answered "Guilty" to question (6), please answer question 6(a). If you answered "Not Guilty" to question (6), please proceed to question (7).

6(a). How do you find the Defendant ZVI GOFFER with respect to Count Six?

<u>Guilty</u>	<u>Not Guilty</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

COUNT SEVEN

(Securities Fraud in connection with the purchase of approximately 30,000 shares of 3Com Stock on or about 9/17/07)

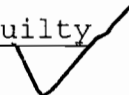
7. How do you find the Defendant ZVI GOFFER with respect to Count Seven?

<u>Guilty</u>	<u>Not Guilty</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

COUNT EIGHT

(Securities Fraud in connection with the purchase of approximately 30,000 shares of 3Com Stock on or about 9/17/07)


8. How do you find the Defendant ZVI GOFFER with respect to Count Eight?

<u>Guilty</u>	<u>Not Guilty</u>
	
_____	_____

COUNT NINE

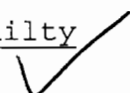
(Securities Fraud in connection with the purchase of approximately 93,900 shares of 3Com Stock on or about 9/21/07)

9. How do you find the Defendant EMANUEL GOFFER with respect to Count Nine?

<u>Guilty</u>	<u>Not Guilty</u>
	
_____	_____

If you answered "Guilty" to question (9), please answer question 9(a). If you answered "Not Guilty" to question (9), please proceed to question (10).


- 9(a). How do you find the Defendant ZVI GOFFER with respect to Count Nine?

<u>Guilty</u>	<u>Not Guilty</u>
	
_____	_____

COUNT TEN

(Securities Fraud in connection with the purchase of approximately 100,000 shares of 3Com Stock on or about 9/21/07)

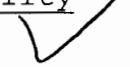
10. How do you find the Defendant ZVI GOFFER with respect to Count Ten?

<u>Guilty</u>	<u>Not Guilty</u>
	
_____	_____

COUNT ELEVEN

(Securities Fraud in connection with the purchase of approximately 20,000 shares of 3Com Stock on or about 9/25/07)

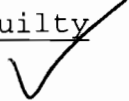
11. How do you find the Defendant ZVI GOFFER with respect to Count Eleven?

<u>Guilty</u>	<u>Not Guilty</u>
	
_____	_____

COUNT TWELVE

(Securities Fraud in connection with the purchase of approximately 5,000 shares of 3Com Stock on or about 9/25/07)

12. How do you find the Defendant MICHAEL KIMELMAN with respect to Count Twelve?

<u>Guilty</u>	<u>Not Guilty</u>
	
_____	_____

If you answered "Guilty" to question (12), please answer question 12(a). If you answered "Not Guilty" to question (12), please proceed to question (13).

12(a). How do you find the Defendant ZVI GOFFER with respect to Count Twelve?

Guilty

Not Guilty

✓

COUNT THIRTEEN

(Securities Fraud in connection with the purchase of approximately 20,000 shares of Axcan stock on or about 11/20/07)

13. How do you find the Defendant ZVI GOFFER with respect to Count Thirteen?

Guilty

Not Guilty

✓

COUNT FOURTEEN

(Securities Fraud in connection with the purchase of approximately 159,006 shares of Axcan stock on or about 11/26/07)

14. How do you find the Defendant ZVI GOFFER with respect to Count Fourteen?

Guilty

Not Guilty

✓

S. Santiago

FOREPERSON